

**ORIGINAL**

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

**United States District Court****SOUTHERN****DISTRICT OF****NEW YORK**

United States of America

**SUMMONS IN A CIVIL CASE****V.**

CASE NUMBER:

Thomas P. Sobiech, Robin Sobiech, Nichris Corporation, Pine Island Group, Inc.,  
Gotham Renovation Group, Inc., Orange County Trust Company, Joseph Wu,  
Sharyland L.P. d/b/a Plantation Produce Company, M&M Packaging, Inc., Mellon  
Bank, United Penn Bank, Pietrzak & Pfau Engineering & Surveying, PLLC, John Does  
Nos. 1-10 and Jane Does Nos. 1-10

**07 CV****6335**

TO: (Name and address of defendant)

Thomas P. Sobiech  
1005 County Route 1  
Pine Island, NY 10969  
Mailing address: P.O. Box 7

**JUDGE BRIEANT****YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia  
United States Attorney for the Southern District of New York  
By: Kristin L. Vassallo, Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this  
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for  
the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period  
of time after service.

**MICHAEL McMAHON****JUL 11 2007**

CLERK

DATE

(BY) DEPUTY CLERK

US DISTRICT COURT OF THE SOUTHERN DISTRICT OF NEW YORK  
COUNTY OF

**AFFIDAVIT OF SERVICE**

UNITED STATES OF AMERICA,

ATTORNEY: CAPITAL PROCESS  
FF/INDEX #: 07 CV 6335 (CLB)  
DATE FILED: 7/11/07  
DOCKET #:

- AGAINST -

Plaintiff(s)/Petitioner(s)

THOMAS P. SOBIECH, ET AL

Defendants(s)/Respondent(s)

COURT D/T:  
AMOUNT:

STATE OF NEW YORK COUNTY OF ORANGE ss:

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 7/23/07 at 9:42 AM at BROZDOWSKI LANE (SIDE OF ROAD), PINE ISLAND, NY 10969

deponent served the within SUMMONS IN A CIVIL CASE, COMPLAINT, NOTICE OF PENDENCY, JUDGE'S RULES, MAGISTRATE'S RULES AND ELECTRONIC CASE FILING NOTICE

on THOMAS P. SOBIECH

therein named

INDIVIDUAL



By Personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ.



AND AT THE SAME TIME PAYING IN ADVANCE

THE AUTHORIZED FEE

DESCRIPTION

Deponent describes the individual served as follows:

MALE, WHITE SKIN, BLACK/GREY HAIR, 43-48 YRS., 5'8"-5'10", 165-175 LBS.

Other identifying features:

MUSTACHE

MILITARY  
SERVICE

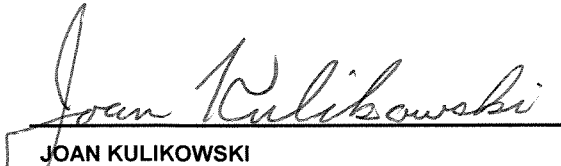


I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on: JULY 24, 2007

  
JOANN JOHNSON  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES AUGUST 15, 2010  
01J05031856

  
JOAN KULIKOWSKI

JOHN GOULD  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES JULY 15, 20\_\_  
01G05013764

KATHLEEN GOULD  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES NOVEMBER 30, 20\_\_  
4632958